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**M-10-1022**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

Pre-Arrest  
COMPLAINT

- against -

(21 U.S.C. §§ 952(a)  
and 960)

ABASS MUSTAPHA,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

DONALD FARRIER, being duly sworn, deposes and states that he is a Special Agent with United States Immigration and Customs Enforcement, Department of Homeland Security, duly appointed according to law and acting as such.

Upon information and belief, on or about September 4, 2010, within the Eastern District of New York and elsewhere, defendant ABASS MUSTAPHA did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:<sup>1/</sup>

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<sup>1/</sup> Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant

1. On the evening of September 4, 2010, defendant ABASS MUSTAPHA, arrived at John F. Kennedy International Airport in Queens, New York, aboard Delta Airlines Flight No. 167 from Accra, Ghana.

2. During an examination, the Customs and Border Protection Inspector noticed that the defendant appeared unusually nervous. The CBP Inspector also noticed that the defendant had purchased his ticket from Ghana to the United States with cash the day before his flight. The defendant also indicated that he was coming to the United States for a business meeting in Dallas, Texas, but he had no connecting flight to Texas. The defendant first stated that he was going to buy car batteries, but later stated that he was going to buy car brakes. When confronted with inconsistencies in his answers to routine inspection questions, the defendant admitted to having ingested 50 pellets of a foreign substance.

3. The defendant was presented with an x-ray consent form, which he read, appeared to understand, and signed. The defendant was transported to the JFK Medical Facility where an x-ray was taken of defendant's intestinal tract. The x-ray was positive for foreign bodies.

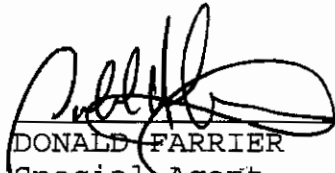
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facts and circumstances of which I am aware.

4. On September 4, 2010, while the defendant was at the JFK Medical Facility, the defendant passed 22 pellets, one of which field-tested positive for the presence of heroin.

5. Defendant will be detained at the JFK Medical Facility until such time as he has passed all the pellets contained within his intestinal tract.

WHEREFORE, your deponent respectfully requests that the defendant ABASS MUSTAPHA be dealt with according to law.

  
DONALD FARRIER  
Special Agent  
Immigration and  
Customs Enforcement

Sworn to before me this  
5th day of September, 2010

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